

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL No. 2327
<hr/> THIS DOCUMENT RELATES TO: WAVE 5 CASES	JOSEPH R. GOODWIN U.S. DISTRICT JUDGE

**MOTION TO EXCLUDE THE OPINIONS AND
TESTIMONY OF SCOTT A. GUELCHER, PH.D.**

Defendants Ethicon, Inc. and Johnson & Johnson (“Ethicon”) move to exclude the opinions and testimony of Scott Guelcher, Ph.D. Dr. Guelcher’s proposed opinion testimony is unreliable and irrelevant under the standard set forth in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993). Ethicon incorporates its Memorandum in Support of Motion to Exclude the Opinions and Testimony of Scott Guelcher, Ph.D., and also the following exhibits:

Exhibit	Description
A	List of cases to which this motion applies;
B	Scott A. Guelcher, Ph.D. Wave 5 General Expert Report;
C	A. Talley, et al., “Oxidation and degradation of polypropylene transvaginal mesh,” <i>J. Biomaterials Science Polymer Ed.</i> (2017);
D	Scott A. Guelcher, Ph.D. 8/17/17 Deposition Transcript;
E	<i>Huskey</i> 8/25/14 Trial Transcript;
F	Scott A. Guelcher, Ph.D. 3/23/16 Deposition Transcript;
G	Jimmy W. Mays, Ph.D. 3/2/16 Deposition Transcript;

H Duane Priddy, Ph.D. 3/8/16 Deposition Transcript;

I Scott A. Guelcher, Ph.D. 12/18/14 Deposition Transcript;

J Scott A. Guelcher, Ph.D. 9/15/15 Deposition Transcript;

K Q.H. Zhao, et al., "Human plasma 2-macroglobulin promotes *in vitro* oxidative stress cracking of Pellethane 2363-80A: *In vivo* and *in vitro* correlations," 27 J. Biomed. Mater. Res. 379-89;

L R. de Tayrac, et al., "Basic science and clinical aspects of mesh infection in pelvic floor reconstructive surgery," 22 Int. Urogynecol. J.;

M K. Ong, et al., "The myth: *in vivo* degradation of polypropylene-based meshes," 27 Int. Urogynecol. J.;

N Dr. Steven MacLean Wave 5 Expert Report;

O Dr. Shelby Thames Wave 5 Expert Report;

P B. Mizaikoff, "Waveguide-enhanced mid-infrared chem/bio sensors," 42 Chem. Soc. Rev. 8683-99 (2013);

Q Vladimir Iakovlev, M.D. 9/11/15 Deposition Transcript;

R *Bellew* 3/5/15 Trial Transcript;

S P. Bracco, et al., "Comparison of polypropylene and polyethylene terephthalate (Dacron) meshes for abdominal wall hernia repair: a chemical and morphological study," 9 Hernia 52-55 (2005);

T Y. Kim, "Human Tissues: Chemical Composition and Photo Dosimetry Data," 57 Radiation Research 38-45 (1974);

U W. Roff, et al., "Silicones," *in* Fibres, Films, Plastics and Rubbers, at 458-59 (1971);

V P. Moalli, "Characterization of the host inflammatory response following implantation of prolapse mesh in rhesus macaque," 213(5) Am. J. Obstet. Gynecol. 668.e1-668.e10 (Nov. 2015);

W A. Clave, "Polypropylene as a reinforcement in pelvic surgery is not inert: comparative analysis of 100 explants," 21 Int. Urogynecol. J. 261, 266 (2010);

X ETH.MESH.12831391-392;

Y	ETH.MESH.07690752-756;
Z	Howard C. Jordi, Ph.D. 10/30/13 Deposition Transcript;
AA	<i>Cardenas</i> 8/18/14 Trial Transcript;
BB	8/31/16 Guelcher Wave 1 <i>Daubert</i> Order;
CC	A. Woodruff, et al., “Histological comparison of pubovaginal sling graft materials: a comparative study,” 72 Urology 85-89 (2008);
DD	M. Albo, et al., “Burch colposuspension versus fascial sling to reduce urinary stress incontinence,” 356 N. Eng. J. Med. 2143-55 (2007);
EE	A. Sokol, et al., “One-year objective and functional outcomes of a randomized clinical trial of vaginal mesh for prolapse,” 206 Am. J. Obstet. Gynecol. 86.e1-9 (2012);
FF	H. Abed, et al., “Incidence and management of graft erosion, wound granulation, and dyspareunia following vaginal prolapse repair with graft materials: a systematic review,” Int. Urogynecol. J. (2011);
GG	C. Nilsson, <i>et al.</i> , “Long-term Follow-up of the TVT operation: 17 year results,” 24 Int. Urogynecol. J. Supp. S1-152, 107 (2013);
HH	R. Svenningsen, <i>et al.</i> , “Long-term follow-up of the retropubic tension-free vaginal tape procedure,” Int. Urogynecol J. (2013); and
II	P. Kjolhede, “Long-term efficacy of Burch colposuspension: a 14-year follow-up study,” 84 Acta Obstet. Gynecol. Scand. 767-72 (2005).

WHEREFORE, FOR THESE REASONS and as more fully set forth in Ethicon’s supporting memorandum of law, Ethicon respectfully requests that this Court enter an order granting Ethicon’s Motion to Exclude the Opinions and Testimony of Scott Guelcher, Ph.D.

Respectfully submitted,

ETHICON, INC. AND
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CERTIFICATE OF SERVICE

I certify that on August 31, 2017, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

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